

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

CENTRAL LABORERS PENSION FUND,)
et al.,)
)
Plaintiff(s),)
)
vs.) No. **04-417 DRH**
)
TAXMAN RETAINING WALLS, INC.,)
)
Defendant(s).)

ORDER OF DISMISSAL

The Court having been advised by the counsel for the parties that the above action has been settled;

IT IS ORDERED that this action is hereby dismissed without costs and with the right, upon good cause shown within sixty (60) days, to reopen the action if settlement is not consummated.

IT IS SO ORDERED.

DATED: This 23rd day of June, 2005.

/s/ David RHerndon
UNITED STATES DISTRICT JUDGE